

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,	:	
Plaintiff,		Case No. 3:94-mj-104
v.	:	Judge Walter H. Rice
MICHAEL G. LUNSFORD,		Mag. Judge Michael R. Merz
Defendants.	:	

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ORDER REQUIRING THE PARTIES TO SHOW CAUSE WITHIN TWENTY-ONE (21)  
DAYS OF ENTRY WHY THE ABOVE-CAPTIONED CASE SHOULD NOT BE  
UNSEALED

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This matter is before the Court on its *sua sponte* review of the above-captioned matter's status as a sealed case. On April 5, 1994, Magistrate Judge Michael R. Merz sustained Plaintiff United States of America's Motion to Seal Search Warrant, Application, Supporting Affidavit, and Return of Search Warrant. (Order, Doc. #4, citing Motion, Doc. #3). The materials have remained sealed since the Order was entered.

However, in an intervening, precedential decision, the United States Court of Appeals for the Sixth Circuit emphasized that "courts have long recognized a strong presumption in favor of openness as to court records. The burden of overcoming that presumption is borne by the party that seeks to seal them. The burden is a heavy one: Only the most compelling reasons can justify non-disclosure

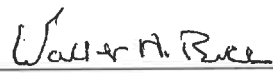
of judicial records.” *Shane Grp., Inc. v. Blue Cross Blue Shield of Mich.*, 825 F.3d 299, 305 (6th Cir. 2016) (cleaned up, citations omitted). Given the time that has passed since the case was closed and the clear mandate from the Sixth Circuit, this Court must assure itself that the reasons that support continued sealing are sufficient to override the strong presumption in favor of open, public access to court records.

Accordingly, the parties are ORDERED TO SHOW CAUSE within twenty-one days of entry why the records should not be unsealed. Any party seeking to keep the records sealed “must analyze in detail, document by document, the propriety of secrecy, providing reasons and legal citations.” *Shane Grp.*, 825 F.3d at 305-06, quoting *Baxter Int’l, Inc. v. Abbott Labs.*, 297 F.3d 544, 548 (7th Cir. 2002). Failure to make such a showing will result in the undersigned directing the Clerk of Courts to unseal all records in this case.

The captioned cause remains terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

IT IS SO ORDERED.

March 26, 2025

  
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WALTER H. RICE, JUDGE  
UNITED STATES DISTRICT COURT